

[Faint, illegible handwriting at the top of the page]



To the Hon. H. A. W. Sheen, Judge of the Circuit
Court of Lee County, Virginia.

Your orator, Henry Nicoll, complaining, sheweth
unto the Court: That she is now, and has been a
Citizen of the this State for more than twelve months
next preceding the institution of this suit; that
on the day of 18, he was married to
Augusta Nicoll, that since that time, until the
time of the commission of the grievances hereinafter
mentioned he was ever a kind, loving and indulgent
husband, and that during all which time he gave to
her no good or just-cause to be dissatisfied with
the home he had provided for her, yet notwith-
standing your orators kindness and indulgence to her,
she so grossly disregarded the duties of a faithful wife,
that on the day of 189 - she wilfully
deserted and abandoned your orator; and your
orator avers that she the said Augusta Nicoll
has wilfully deserted and abandoned him
her said husband for three years and longer,
and that without your orators consent or connivance.

In consideration whereof, and forasmuch as your
orator is remediless save in a Court of equity, he
prays that the said Augusta Nicoll be made a defendant
to this bill and, be required to answer the same,
but not on oath, that being hereby waived; that proper
process issue, and all proper orders be made; that your
orator be granted a divorce a vinculo matrimonii,
from the said Augusta Nicoll; and that all such other
further and general relief may be afforded your orator, as
may be just and right in the premises, and your orator
will ever pray, etc.

J. C. Noel p. q.

Pleffo Costs
Clerk 2.81
Tax 1.50
Printer 5.00
atty 15.00
\$24.31

Henry Nicoll
vs Bill on Chancery
Augusta Nicoll
1900 1st May Rules Bill
filed & pa not executed
2nd May Rules Contd
for O.P. to Complete
1st June Rules taken
the last Monday in
May O.P. Complete
& Cause set for
hearing
June Term 1900 Secured
final see Chcy O.P.
No 6 Page 378

Pleffo Costs
Clerk 4.31
Printer 5.00
\$9.31

90 to 00
N.

Henry Nicoll }
vs } In Chancery.
Augusta Nicol }

This cause came on this the
& day of June 1900, to be heard
upon the plaintiffs bill and the
depositions filed therewith, ^{and ~~offers~~ argued by counsel} and
it appearing that the defendant had
had notice required by law, and
the defendant not appearing to answer
or demur, and it appearing to the
court ~~from~~ the evidence that the
plaintiff hath good and sufficient cause
for the aid of a court of equity, it is
therefore adjudged ordered and decreed
that the bonds of matrimony heretofore
contracted and up to this time existing,
~~doe~~ and is hereby dissolved and
annulled, and ~~this~~ this cause is
ordered to be stricken from the
docket.

Henry Nicoll
vs J. Deere
Augusta Nicoll

Emble
H. A. W. Steen
9/8/170

Eng-on C. B. No 6
p 398.

The depositions of F. K. Wilson
and Henry Nicoll
taken before me, C. E. Cook a
Notary Public for the County of Lee
in the town of Jonesville in said
County, ^{at the Puffeys Hotel} on the 8 day day of June 1900
to be read in evidence in behalf
of Henry Nicoll the plaintiff in a
certain suit depending in the circuit
Court of Lee County, wherein the said
Henry Nicoll is plaintiff, and Augusta
Nicoll is defendant.

Present J. C. Noel counsel for Plff.
F. K. Wilson, a witness of lawful age
being duly sworn deposes and says:
I am acquainted with the plaintiff
and defendants in this case. I have
known the plaintiff for several years.
He is a citizen of this county, and
has been such for several years prior
to the institution of this suit.

The defendant ^{willfully} abandoned, and deserted
the plaintiff something of three years
ago, and the said desertion has continued
more than three years. She the defendant
has not lived with said plaintiff since
said desertion and abandonment. She left
the home of the said plaintiff on the

day of 1896, and has
resided so I am informed in the state
of Ohio, while the said plaintiff has
resided during all that time in Lee
County Virginia.

And further this deponent says
not.

J. K. Wilson

Henry Nicoll an other witness
of lawful age being duly sworn
deposes and says:

I am the plaintiff in this
cause. I was married to the
defendant - Augusta Nicoll in
the year 1880, and the defendant
and I lived together as man and
wife until the year 1896, in 1896
she abandoned my home wilfully
without any cause or provocation.
And I have not seen her since
that time, nor have I cohabited with
her since she deserted me.

Henry Nicoll

I C. E. Cook, a notary public for
the County of Lee, in the state of
Virginia do hereby certify that

the foregoing depositions of F. R.
Wilson and Henry Nicoll were duly
taken, sworn to and subscribed before
me at the place named therein and
in the caption thereto. In witness
whereof I have hereto set my hand
and seal, on this the 8 day of June
1900.

W. C. Cleaver N. P. Seal

Henry McCall
vs { Depositions
Augusta McCall

Virginia Lee County Court:
I, Henry Nicoll do solemnly swear
that Augusta Nicoll, the defendant to a
suit in bankruptcy filed this day by me
in the Circuit Court of said County, is
not a resident of this State.
Henry Nicoll

Sworn to before me in my county
aforesaid this 28 day April 1900.
W. J. Orr J. P.

Henry Nicoll
vs } affi for Ord Pub
Augusta Nicoll

Filed Apr 30th 1900
A.B. Munsey Clerk

VIRGINIA:--In the Clerk's Office of the Circuit Court of the County of Lee
on the 30th day of April 1900 ~~189~~.

Against

Henry Nicoll

Plaintiff

Augusta Nicoll

Defendant

In Chancery

The object of this suit is to obtain a decree dissolving the bonds of
Matrimony heretofore contracted and now existing between
the plaintiff and the defendant

And an affidavit having been made and filed that the defendant Augusta Nicoll

is ^a not resident of the State of Virginia, it is ordered that she do appear here within fifteen days
after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further
ordered that a copy hereof be published once a week for four weeks in the South West Virginian
and that a copy be posted at the front door of the court-house of this county on the first day of the next term of the
county court.

A copy—Teste:

J. L. Noel

P. O.

A. B. Munsey Clerk.

Henry Nicoll

AGAINST

ORDER
OF
PUBLICATION.

Augusta Nicoll

J. L. Noel

P. Q.

Virginia Lee Co to wit.
I A B Munsey Clerk
of the Circuit Court
for Lee County Va. do
hereby Certify that I
posted a copy of the
order of publication
at the front door
of the Court-house
of Lee County on the
first day of the May
term of County Court
for said County this
the 22nd day of May
1900.

A B Munsey
Clerk

I, A. M. Goins, Editor of the **SOUTHWEST VIRGINIAN**, a weekly newspaper published at Jonesville, Lee County, Va., do hereby certify that the annexed notice was published in said paper once a week for four successive weeks,

May, 1900.

VIRGINIA—In the Clerk's Office of the Circuit Court of the County of Lee on the 30th day of April 1900.

HENRY NICOLL, Plaintiff. }
against } In Chance'y
AUGUSTA NICOLL, D'ft. }

The object of this suit is to obtain a decree dissolving the bonds of matrimony heretofore contracted and now existing between the plaintiff and the defendant.

And an affidavit having been made and filed that the defendant, Augusta Nicoll is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the South-west Virginian, and that a copy be posted at the front door of the court-house of this county on the first day of the next term of the county court. A copy-Teste:

A. B. MUNSEY, Clerk.

J. C. Noel, p. q. 5-3-00 ——— 4t.

ORDER OF PUBLICATION.

Henry Nicoll

VS.

IN CHANCERY.

Augusta Nicoll

FEE \$5⁰⁰